

# Senate Study Bill 3177 - Introduced

SENATE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
VETERANS AFFAIRS BILL BY  
CHAIRPERSON CARLIN)

## A BILL FOR

1 An Act relating to smoking by members at the Iowa veterans  
2 home.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 35D.3, Code 2020, is amended to read as  
2 follows:

3 **35D.3 Rules — general management.**

4 1. The commission shall adopt all the necessary rules,  
5 pursuant to chapter 17A, for the preservation of order and  
6 enforcement of discipline, the promotion of health and  
7 well-being of all the members and the management and control of  
8 the home and its grounds.

9 2. a. Pursuant to section 142D.4, the commission shall  
10 adopt rules relating to smoking applicable to members of the  
11 home. The rules shall provide that smoking accommodations  
12 shall be subject to reasonable restrictions as designated by  
13 the commission with regard to the times when and the places  
14 where smoking is permitted.

15 b. The rules adopted under this subsection shall provide  
16 that all of the following shall apply:

17 (1) A member shall be permitted to smoke only in posted  
18 areas where proper facilities are provided. The home  
19 shall provide proper facilities at times and in places that  
20 reasonably accommodate smoking by members.

21 (2) Smoking by a member determined to be careless shall be  
22 prohibited except when the member is under direct supervision.  
23 The home shall provide such supervision at times and in places  
24 that reasonably accommodate such members.

25 (3) Smoking shall be prohibited in member bedrooms and in  
26 all rooms where oxygen is being administered or where oxygen is  
27 being stored.

28 **EXPLANATION**

29 The inclusion of this explanation does not constitute agreement with  
30 the explanation's substance by the members of the general assembly.

31 This bill relates to smoking at the Iowa veterans home.

32 Under Code chapter 142D (Smokefree Air Act), the Iowa  
33 veterans home (home) is exempt from the prohibitions against  
34 smoking in public places, places of employment, and outdoor  
35 areas.

1     The bill directs the commission of veterans affairs to  
2 adopt administrative rules relating to smoking as applicable  
3 to members of the home. The rules shall provide that smoking  
4 accommodations shall be subject to reasonable restrictions as  
5 designated by the commission with regard to the times when and  
6 the places where smoking is permitted. Specifically, the rules  
7 shall provide that a member shall be permitted to smoke only  
8 in posted areas where proper facilities are provided; that the  
9 home shall provide proper facilities at times and in places  
10 that reasonably accommodate smoking by members; that smoking by  
11 a member determined to be careless shall be prohibited except  
12 when the member is under direct supervision, and that the home  
13 shall provide such supervision at times and in places that  
14 reasonably accommodate such members; and that smoking shall be  
15 prohibited in member bedrooms and in all rooms where oxygen is  
16 being administered or where oxygen is being stored.